

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JUANITA COLE,

Plaintiff,

V.

MICHAEL J. ASTRUE,
Commissioner of the
Social Security Administration,

Defendant.

8:09CV332

MEMORANDUM AND ORDER

On September 21, 2009, the court granted the plaintiff leave to proceed in forma pauperis and directed her to complete the necessary paperwork for service of summonses as soon as possible. The court specifically advised the plaintiff that Federal Rule of Civil Procedure 4(m) requires service of process by no later than 120 days after the filing of a civil complaint. Because that 120-day period has now elapsed with no summonses having been issued,

IT IS ORDERED that the plaintiff shall show cause within ten (10) days why this action should not be dismissed for failure to serve the defendant. Absent compliance with this order, the action shall be subject to immediate dismissal without prejudice.

February 26, 2010.

BY THE COURT:

Richard G. Kopf

United States District Judge